REMARKS/ARGUMENTS

The claims are 1-12 and are as previously presented in the Preliminary Amendment filed concurrently with the application on June 30, 2006.

Applicant would like to thank the Examiner for the courtesy of a telephone interview on July 17, 2008, the substance of which is set forth herein. The Office Action indicated that original certified priority documents had not been submitted in order to perfect the claim for the benefit of a prior filed application under 35 U.S.C. §119. In the July 17, 2008 telephone interview, the Examiner confirmed that it is unnecessary to submit the priority document as it has already been sent by the International Office, as indicated in the Notice of Acceptance of Application Under 35 U.S.C. § 371 and 37 C.F.R. § 1.495 dated July 30, 2007. Confirmation of receipt of the original certified priority documents is hereby requested.

Claims 1 and "2" (presumably claim 3) were objected to for an informality. In particular, the Examiner indicated that the term "E field" recited in these claims was not appropriately described. Applicant responds as follows.

The term "E field" refers to the electrical component of the electromagnetic field, which component predominates in the immediate vicinity of an E-field antenna. In contrast, there are also "H field" antennas, wherein the magnetic component of the electromagnetic field predominates in the immediate vicinity of the antenna. At a greater distance from the antennas, however, there is an equalization between the electrical and magnetic components of the electromagnetic fields, such that conclusions concerning the type of antenna (that is "E field" or "H field") can no longer be drawn.

Applicant's invention, as set forth in the appended claims, is explicitly concerned with an E field antenna, in which the electrical component of the electromagnetic field predominates in the immediate vicinity of the antenna. In this connection, the Examiner is directed to the paragraph bridging pages 2-3 of the specification as filed. In view of the foregoing, it is respectfully submitted that the Examiner's objection to claims 1 and 3 on the basis of this informality are overcome, and Applicant respectfully requests that the objection on this basis be withdrawn.

Claims 1, 2, 4, 8, 9 and 12 were rejected under 35 U.S.C.

102(b) as being anticipated by *Van Heerden et al. U.S. Patent Application Publication No. 2003/0160732*. The remaining claims were rejected under 35 U.S.C. 103(a) as being unpatentable over *Van Heerden et al.* alone (claims 3, 5, 6, 7 and 11), or further in view of *Rowson et al. U.S. Patent No. 6,675,461* (claim 10). Essentially the Examiner's position was that *Van Heerden et al.* discloses the textile material recited in the claims except for features which are considered within the skill of the art or taught by *Rowson et al.*

This rejection is respectfully traversed.

As set forth in Applicant's claim 1, Applicant's invention provides a textile material that includes an HF transponder (12). The HF transponder includes a circuit module (16) and an antenna (14, 18, 20) linked therewith and set to a working frequency. The antenna is configured as an E field radiator for a working frequency in the UHF or microwave range, and the E field radiator is completely constituted of electrically conductive components of the textile material itself.

The cited references fail to teach or suggest a textile material having the arrangement as recited in Applicant's claim

1. In particular, *Van Heerden et al.* describes two alternate embodiments of RFID transponders. In the embodiment shown in FIG. 1, an antenna 15 is connected with an integrated circuit 5, and the assembly is housed in a common housing. FIG. 1 of *Van Heerden et al.* does not show an antenna connected with the textile material or integrated into it. Accordingly, the embodiment shown in FIG. 1 of *Van Heerden et al.* fails to teach or suggest an antenna configured as an E field radiator, wherein the "*E field radiator is completely constituted of electrically conductive components of the textile material itself*" as recited in Applicant's claim 1.

In the second embodiment of *Van Heerden et al.*, shown in FIG. 2, an external antenna 50 is situated outside of the housing 30 enclosing the integrated circuit 5. In this embodiment, the antenna 50 is not connected with the integrated circuit 5, but rather is merely coupled with it. A feed line 55 serves as the coupling element.

The antenna 50 according to *Van Heerden et al.* is not an integral part of the textile material itself, in other words it is not an integral part of the jacket 80, pants 85 or the shoe 90 shown in FIG. 3 of *Van Heerden et al.* Instead, the antenna 50 is

disposed on the inner or outer surface of the article of clothing, or in a seam of the article of clothing. Thus, the second embodiment of *Van Heerden et al.* likewise fails to teach or suggest an antenna configured as an E field radiator, wherein the "*E field radiator is completely constituted of electrically conductive components of the textile material itself*" as recited in Applicant's claim 1.

The description at paragraph 0023 of *Van Heerden et al.*, which suggests that antenna 50 may include a plurality of conductive threads "interwoven" with the fabric of a garment cannot be interpreted to teach or suggest that the antenna could be an integral part of the jacket, pants or shoe for technical reasons. In particular, an additional weft thread cannot be subsequently introduced into a finished woven textile. Thus, this passage also fails to teach or suggest the textile as recited in Applicant's claim 1.

The defects and deficiencies of the primary reference to *Van Heerden et al.* are nowhere remedied by the secondary reference to *Rowson et al.* *Rowson et al.* was cited for teaching a UV curable adhesive used to secure spacers of a magnetic dipole antenna. This reference nowhere teaches or suggests a textile material that includes an HF transponder having a circuit module and an

antenna as recited in Applicant's claims.

In view of the foregoing, it is respectfully submitted that the claims are patentable over the cited references whether considered alone or in combination. Accordingly, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,
Anatoli STOBBE

Frederick J. Dorchak, Reg.No.29,298
Edward J. Callaghan, Reg. No.46,594
Attorneys for Applicant

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

FJD:cmm

Express Mail No. EM 306 824 131 US
Date of Deposit: January 9, 2009

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10, on the date indicated above, and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amy Klein